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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/768,567	01/29/2004	Robert L. Beasley	7452-US1	6348

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EXAMINER	
WANG, JIN CHENG	

ART UNIT	PAPER NUMBER
2628	

DATE MAILED: 09/20/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)	
	10/768,567	BEASLEY ET AL.	
	Examiner	Art Unit	
	Jin-Cheng Wang	2628	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *11 August 2006*.

2a)☒ This action is **FINAL**. 2b)☐ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1 and 2* is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1-2* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☐ All b)☐ Some * c)☐ None of:

1.☐ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☐ Information Disclosure Statement(s) (PTO/SB/08) Paper No(s)/Mail Date _____.
4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____ .
5) ☐ Notice of Informal Patent Application
6) ☐ Other: _____.

DETAILED ACTION

Response to Amendment

Applicant's submission filed on 8/11/2006 has been entered. Claim 1 has been amended. Claims 1-2 are pending in the application.

Response to Arguments

Applicant's arguments with respect to claims 1-2 have been considered but are moot in view of the new ground(s) of rejection based on Alexander U.S. Patent No. 6,201,384 (hereinafter Alexander) in view of Ward et al. U.S. Patent No. 6,917,889 (hereinafter Ward).

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

Claims 1-2 are rejected under 35 U.S.C. 103(a) as being unpatentable over Alexander U.S. Patent No. 6,201,384 (hereinafter Alexander) in view of Ward et al. U.S. Patent No. 6,917,889 (hereinafter Ward).

Claim 1:

Alexander teaches a method of indicating and manipulating a zoom region within a long data record comprising:

Displaying the long data record as a displayed waveform (*Figs. 3A and column 7-8*);

In response to zoom data which defines a location and scale for the zoom region (*e.g., defining the starting point and ending point by the pointing device and defining vertical and horizontal scaling; Figs. 2-3(B) and column 9, lines 53-67 and column 10, lines 1-67*), displaying a zoom region indicator (*zoom region marker as described in column 7, lines 30-67*) representing the zoom region with the displayed waveform (*the rescaling rectangle is a zoom region with the displayed waveform shown in Fig. 3(A)*), the zoom region indicator (*the zoom region marker*) having an associated marker (e.g., *a bottom side of the rectangle is colored marked*) which spans the zoom region and has a length equal to or greater than the width of the zoom region, the length (*the rectangle has only three pixel width with the two vertical lines occupying two pixel width and the resealed rectangle has the zoom region of one pixel width*) being greater than the width of the zoom region (*the zoom region has only one pixel width*) when the width is less than a specified dimension (*e.g., the marker defining the starting point and ending point by the pointing device and defining vertical and horizontal scaling; Figs. 2-3(B) and column 9, lines 53-67 and column 10, lines 1-67*);

Alternating the display of the displayed waveform and a portion of the displayed waveform defined by the zoom region as a zoomed waveform (*e.g., displaying the rescaled rectangle of the displayed waveform defined by the zoom region as a zoomed waveform shown in Fig. 3(B) as the entire waveform display region and column 11, lines 56-67*); and

Manipulating the zoom region by moving the associated marker with a pointer device to display other portions of the displayed waveform as the zoomed waveform (*e.g., the graphical user interface through the selection of menu items, key strokes, voice activation, and through the*

use of any type of input device such as the point device 110 allows manipulating the zoom region by toggling between the original and new scaling and undoing or redoing the scaling dictated by the rescaling rectangle 310 and return the waveforms and display element to their original scaling; column 12, lines 23-67; the user may deselect waveform scaling through the selection of an arbitrary point outside of the rescaling rectangle 310; see column 10, lines 36-59; and the user further selects the zoom region using the cursor; column 12, lines 1-67 and this process of selecting and deselecting continues).

Even if the rescaled rectangle of Alexander is large enough, Alexander's large rescaled rectangle still meet the claim limitation of "the zoom region indicator having a width and an associated marker which spans the width of the zoom region and has a length equal to or greater than the width of the zoom region". However, Alexander is silent to "an independent associated marker". Alexander has the resealed rectangle being three pixel width while the zoom region has only one pixel width. Thus, Alexander discloses the bottom side of the resealed rectangle, as color marked, has "the length being greater than the width of the zoom region when the width is less than a specified dimension".

Although Alexander does not disclose an independent marker, i.e., the bottom side of the resealed rectangle is dependent on the resealed rectangle, Alexander discloses an independent color that marks the bottom side of the resealed rectangle.

Ward discloses in Fig. 1a and 1c a zoom region indicator (box 106 of Fig. 1a or box 306 of Fig. 3) having a width and an independent associated marker (marker 104 of Fig. 1a or 304 of Fig. 3). When the zoom region indicator has only a few pixel width, the marker 104 or 304 spans the width of the zoom region and has a length equal to or greater than the width of the zoom

region, the length being greater than the width of the zoom region when the width is less than a specified dimension. Ward of course discloses other claim limitations set forth in the claim 1 as well. For example, Ward also discloses simultaneously displaying with the displayed waveform a portion of the displayed waveform defined by the zoom region as a zoomed waveform.

Therefore, having the combined teaching of Ward and Alexander, it would have been obvious to one of the ordinary skill in the art at the time the invention was made to have incorporated as associated marker of Ward into Alexander as Alexander discloses color marking the resealed rectangle. One of the ordinary skill in the art would have been motivated to do so to highlight a portion of the zoom region and to track and follow the waveform correlation by the movement of marker knob 112 (See Ward column 3, lines 35-40).

Claim 2:

Alexander further discloses displaying the zoomed waveform in a different color from one used to display the displayed waveform (*e.g., the priority encoder sends the selected color to the VRAM 146 which then causes the pixel to be rendered in the indicated color and a rectangular pixel area is typically defined within DRAM 148 with the programmed color typically dark gray; see column 7, lines 30-67 and column 8, lines 1-16; column 9, lines 63-67 and column 10, lines 1-7*) with the zoom region indicator being displayed in the different color (*e.g., the color the marker is rendered at the pixel location providing a display that appears to show the marker over the waveform; column 7, lines 30-67 and column 8, lines 1-16; column 9, lines 63-67 and column 10, lines 1-7*).

Conclusion

Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL.** See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Jin-Cheng Wang whose telephone number is (571) 272-7665. The examiner can normally be reached on 8:00 - 6:30 (Mon-Thu).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Kee Tung can be reached on (571) 272-7794. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

jcw

KEE M. TUNG
SUPERVISORY PATENT EXAMINER